



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Meghan Paccione,  
Senior Engineer (C0538W), Morris  
County

Examination Appeal

CSC Docket No. 2019-659

**ISSUED: OCTOBER 5, 2018** (HS)

Meghan Paccione appeals the determination of the Division of Agency Services (Agency Services), which found that she did not meet the education requirement for the open competitive examination for Senior Engineer (C0538W), Morris County.

The subject examination was announced with a closing date of May 7, 2018 and was open to New Jersey residents who possessed a Bachelor's degree in Civil, Mechanical or Electrical Engineering and two years of related engineering experience. The resulting eligible list containing the names of two eligibles promulgated on September 6, 2018 and expires on September 5, 2021. A certification containing the names of both eligibles was issued on September 10, 2018, but the disposition of this certification has not yet been returned.

In her application materials, the appellant indicated, in pertinent part, that she possessed a Bachelor of Science degree in Engineering Technology with a major in Construction Engineering Technology. Agency Services did not credit the appellant's Bachelor's degree as it was not in one of the areas listed in the announcement, but it did determine that she met the experience requirement. Therefore, Agency Services deemed the appellant ineligible since she did not meet the education requirement set forth in the announcement.

On appeal to the Civil Service Commission, the appellant argues that she meets the education requirement. She states that although her Bachelor's degree is

not explicitly in Civil Engineering, the program focused on civil engineering design, construction (building and highway) and project management.

It is noted that effective September 13, 2018, the job specification for Senior Engineer was revised to indicate that a Bachelor of Science degree in Engineering Technology in a field related to Civil, Mechanical or Electrical Engineering may substitute for the required Bachelor's degree in Civil, Mechanical or Electrical Engineering.

## CONCLUSION

*N.J.A.C.* 4A:4-2.3(b)2 provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause shown in a particular situation.

In this matter, Agency Services correctly determined that the appellant was ineligible for the subject examination as of the May 7, 2018 closing date because she did not meet the education requirement since she did not possess a Bachelor's degree in Civil, Mechanical or Electrical Engineering as set forth in the examination announcement. However, effective September 13, 2018, the job specification for Senior Engineer, the title under test, was revised to indicate that a Bachelor of Science degree in Engineering Technology in a field related to Civil, Mechanical or Electrical Engineering may substitute for the required Bachelor's degree in Civil, Mechanical or Electrical Engineering. The appellant possesses a Bachelor of Science degree in Engineering Technology with a major in Construction Engineering Technology, which is related to Civil Engineering. Additionally, the record evidences that the examination situation is not competitive since the examination resulted in an incomplete list of two eligibles. See *N.J.A.C.* 4A:4-4.2(c)2 (defining "complete certification" as a certification that contains the names of *three* interested eligibles for the first permanent appointment from an open competitive certification); see also, *N.J.S.A.* 11A:4-8. Given this, the appointing authority could request that another examination for Senior Engineer be announced. See *N.J.A.C.* 4A:4-4.2(c) (providing that "[a]n appointing authority *shall be entitled* to a complete certification for consideration in making a permanent appointment") (emphasis added). The revised job specification would control any such announcement, for which the appellant would meet the education requirement. Accordingly, under the particular circumstances of this case, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.3(b)2 and admit the appellant to the subject examination. However, the remedy in this matter is limited to the specific facts of this case and shall not be utilized as a precedent in any other proceeding.

**ORDER**

Therefore, it is ordered that this appeal be granted and the appellant's application be processed for prospective employment opportunities.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 3<sup>RD</sup> DAY OF OCTOBER, 2018



Deirdré L. Webster Cobb  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Christopher S. Myers  
Director  
Division of Appeals and Regulatory Affairs  
Written Record Appeals Unit  
Civil Service Commission  
P.O. Box 312  
Trenton, New Jersey 08625-0312

c. Meghan Paccione  
Allison Stapleton  
Kelly Glenn  
Records Center